IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

NIPPON SHINYAKU CO., LTD.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 21-1015 (JLH)
	)	
SAREPTA THERAPEUTICS, INC.,	)	
	)	
Defendant.	)	
SAREPTA THERAPEUTICS, INC. and THE	)	
UNIVERSITY OF WESTERN AUSTRALIA,	)	
	)	
Defendant/Counter-Plaintiffs,	)	
	)	
v.	)	
	)	
NIPPON SHINYAKU CO., LTD.	)	
and NS PHARMA, INC.,	)	
	)	
Plaintiff/Counter-Defendants.	)	

STIPULATION AND [PROPOSED] ORDER REGARDING ADMISSIBILITY

Plaintiff and Counter-Defendants Nippon Shinyaku Co., Ltd. and NS Pharma Inc. ("Plaintiffs") and Defendant and Counter-Plaintiffs Sarepta Therapeutics, Inc and The University of Western Australia ("Defendants"), stipulate and agree as follows:

Subject to resolution of the parties' motions *in limine*,[1] the parties agree that the following documents identified by their Bates number range (or other identifying descriptor, if no Bates range is available) shall otherwise be presumed admissible for the purposes of this lawsuit only absent a showing of good cause:

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[1] The parties agree that this stipulation does not obviate any objections raised to use of these documents pursuant to the parties' pending or granted motions *in limine*.

SRPT-VYDS-0156010-084 (DTX-1104)
SRPT-VYDS-0156085-292 (DTX-0124)
SRPT-VYDS-0156293-401 (DTX-1105)
SRPT-VYDS-0156402-510 (DTX-1106)
SRPT-VYDS-0156511-678 (DTX-1107)
SRPT-VYDS-0156679-739 (DTX-1213)
SRPT-VYDS-0156740-912 (DTX-1215)
SRPT-VYDS-0156913-7030 (DTX-1216)
SRPT-VYDS-0155447-544 (DTX-1101)
SRPT-VYDS-0155545-594 (DTX-1102)
SRPT-VYDS-0155595-713 (DTX-0838)
SRPT-VYDS-0155714-832 (DTX-0123)
SRPT-VYDS-0155833-6009 (DTX-1103)
SRPT-VYDS-0159885-160000 (DTX-0820)
SRPT-VYDS-0160001-170 (DTX-1025)
SRPT-VYDS-0160171-340 (DTX-1232)
SRPT-VYDS-0160341-520 (DTX-1233)
SRPT-VYDS-0160521-639 (DTX-0813)
SRPT-VYDS-0159754-884 (DTX-1024)
SRPT-VYDS-0201393-523 (DTX-1244)
SRPT-VYDS-0213544-678 (DTX-1245)
SRPT-VYDS-0213679-811 (DTX-1246)
SRPT-VYDS-0227441-456 (DTX-0109)

SRPT-VYDS-0160640-819 (DTX-1018)
SRPT-VYDS-0160820-946 (DTX-1234)
SRPT-VYDS-0160947-1118 (DTX-1026)
SRPT-VYDS-0161119-291 (DTX-1021)
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SRPT-VYDS-0161481-649 (DTX-1235)
SRPT-VYDS-0161650-826 (DTX-0751)
SRPT-VYDS-0157031-197 (DTX-1217)
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SRPT-VYDS-0157330-364 (DTX-1219)
SRPT-VYDS-0157365-533 (DTX-1220)
SRPT-VYDS-0157534-652 (DTX-1221)
SRPT-VYDS-0157653-821 (DTX-1222)
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SRPT-VYDS-0157938-8108 (DTX-1225)
SRPT-VYDS-0158109-290 (DTX-0126)
SRPT-VYDS-0158291-435 (DTX-0834)
SRPT-VYDS-0158436-607 (DTX-1226)
SRPT-VYDS-0158608-778 (DTX-1228)
SRPT-VYDS-0158779-884 (DTX-1229)
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SRPT-VYDS-0162229-284 (DTX-1022)
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SRPT-VYDS-0162462-632 (DTX-1237)
SRPT-VYDS-0162633-802 (DTX-1238)
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SRPT-VYDS-0201121-250 (DTX-1243)
NS00061802-805 (DTX-313/DTX-0314)
NS00066456-668 (DTX-0337)
NS00066669-746 (DTX-0573)
NS00074094-344 (DTX-0310)
NS00091284-309 (DTX-0358)

SRPT-VYDS-0227457-480 (DTX-0107)

SRPT-VYDS-0201251-392 (DTX-1028)

SRPT-VYDS-0159586-753 (DTX-1231)

NS00059735-976 (DTX-0245)

NS00059977-60242 (DTX-0247)

NS00060243-480 (DTX-1098)

NS00060481-718 (DTX-1099)

NS00060719-934 (DTX-1100)

NS00060984 (DTX-0348/DTX-0349)

NS00060995 (DTX-0329/DTX-0330)

NS00061035 (DTX-0323/DTX-0324)

NS00061042 (DTX-0350/DTX-0351)

NS00137981-8042 (DTX-0304/DTX-0305)

NS00061118 (DTX-0325/DTX-0326)

SRPT-VYDS-0229421-431 (DTX-0114, DTX-0535)

SRPT-VYDS-0229914-925 (DTX-0873)

SRPT-VYDS-0229946-956 (DTX-0880)

DTX-1738

NS00061840 (DTX-0199/DTX-0200)

NS00081120 (DTX-0346/DTX-0347)

SRPT-VYDS-0247376 (DTX-1805)

SRPT-VYDS-0235756-757 (DTX-0810)

SRPT-VYDS-0159207-342 (DTX-0821)

SRPT-VYDS-0159343-420 (DTX-0804)

SRPT-VYDS-0159421-585 (DTX-1230)

NS00061181-183 (DTX-0251/DTX-0252, DTX-1413)

NS00061188-189 (DTX-0342/DTX-343)

NS00061263-265 (DTX-0338/DTX-0339)

NS00061271-272 (DTX-317/DTX-318)

NS00061338-339 (DTX-0230/DTX-0231, DTX-0321/DTX-0322)

NS00061379-382 (DTX-0340/DTX-0341)

NS00061427-429 (DTX-319/DTX-320)

NS00061604-607 (DTX-0315/DTX-0316)

NS00061106-107 (DTX-0333/DTX-0334)

NS00061116-117 (DTX-0335/DTX-0336)

NS00061119-120 (DTX-0331/DTX-0332)

DTX-1369, DTX-1745

NS00051789-799 (DTX-0878)

SRPT-VYDS-0007646-658 (DTX-0397, DTX-1734)

NS00063146 (DTX-0311/DTX-0312)

NS00085355 (DTX-0224/DTX-0225)

NS00085390 (DTX-0352/DTX-0353)

WILTON0007795-7827 (DTX-1605)

NS35451-579 (DTX-0159)

NS00091317-318 (DTX-0361/DTX-0362)

NS00091319 (DTX-0363)

SRPT-VYDS-0229866-878 (DTX-0113, DTX-0856)

DTX-1370, DTX-1746

NS00051764-778 (DTX-0879)

SRPT-VYDS-0007820-823 (DTX-0453, DTX-1735)

NS00061582 (DTX-0206/DTX-0207)

NS00062225 (DTX-0344/DTX-0345)

DTX-1573

NS00061097-098 (DTX-0201/DTX-0202)

SRPT-VYDS-0227840-850 (DTX-0429)

SRPT-VYDS-0229814-823 (DTX-0862)

SRPT-VYDS-0237065-075 (DTX-0956)

NS00085193-198 (DTX-0217/DTX-0218)

SRPT-VYDS-0229330-336 (DTX-0475)

SRPT-VYDS-0229843-854 (DTX-0866)

SRPT-VYDS-0229028-037 (DTX-0420)

SRPT-VYDS-0230019-030 (DTX-0892)

SRPT-VYDS-0002641-2765 (JTX-0015)

SRPT-VYDS-0229432-445 (DTX-0542)

NS00157722-725 (DTX-1800)

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(DTX-1795)

DTX-110

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(DTX-0239, DTX-1211)

DTX-0238

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(DTX-0459)
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(DTX-0595)
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(DTX-0839, DTX-1759)
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(DTX-1811)
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(DTX-0061)

DTX-1330

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(JTX-0018)
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(DTX-0385)
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(DTX-0543)
NS00035839-848
(DTX-0779, DTX-1313)
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(DTX-1813)

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SRPT-VYDS-0247642-652
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(DTX-0222/DTX-0223)
NS00157726-727
(DTX-1799)

NS00061181
(PTX0261/PTX0262)
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(PTX0221)
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(PTX0032)
NS00102924
(PTX0128)
SRPT-VYDS-0008113
(PTX0140)

NS00063643
(PTX0259/PTX0260)
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(PTX0165)
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NS00039502
(PTX1219)
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(PTX0826)
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(PTX1095)
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(PTX0129)

NS00061808
(PTX0427/PTX0428)
NS00073536; NS00091091
(PTX0355)
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(PTX0219)
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(PTX0806)
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(PTX0217)
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(PTX0831)
SRPT-VYDS-0232110
(PTX0473)
NS00103061
(PTX0130)
SRPT-VYDS-0007688
(PTX0475)

SRPT-VYDS-0228276 (PTX0476)	WILTON0015237 (PTX0157)	SRPT-VYDS-0011122 (PTX0508)
SRPT-VYDS-0213053 (PTX0520)	SRPT-VYDS-0228438 (PTX0477)	SRPT-VYDS-0007603 (PTX0765)
SRPT-VYDS-0211529 (PTX0838)	SRPT-VYDS-0008344 (PTX0759)	SRPT-VYDS-0009069 (PTX-1123)
PTX1375	NS00143659 (PTX1002)	PTX1595
(NS00157155)	SRPT-VYDS-0241561 (PTX1116)	NS00157099 (PTX1773)
PTX1783 NS00157739 (PTX1821)	PTX1381	NS00157809 (PTX1819)
SRPT-VYDS-0009221 (DTX-1284)	NS00157041 (PTX1769)	SRPT-VYDS-0008671 (DTX-0384)
NS00157752 (PTX1822)	NS00062630 (PTX1780)	

Good cause would include issues relating to the completeness of the document (e.g., missing or incomplete pages). Good cause would additionally include the document being used in a manner contrary to a granted motion *in limine*.

In light of the Court's Order bifurcating certain claims and defenses to be heard at a bench trial, the parties further reserve the right to object to the admission and use of documents during the jury trial on the basis that those documents are properly admissible only in relation to the issues to be tried during the bench trial. In other words, while the parties agree that these documents should be presumed admissible for the purposes of this lawsuit, this stipulation does not mean that the parties agree that each listed document is admissible in both the jury and bench trials.

The parties agree to meet and confer in good faith regarding any disputes about whether there is good cause to dispute the admissibility of a document under the terms of this stipulation, and reserve the right to raise any disputes as to whether the good cause standard is met with regard to a challenged document with the Court prior to the introduction of that document at trial. Stipulating to the admissibility of these documents does not constitute a waiver of any claim or defense.

- 6 -

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December 13, 2024

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SO ORDERED this _____ day of _____, 2024.

_____
United States District Court Judge

- 6 -